



12-13-04

JFw \$
CKIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of:

Applicants: Bradley Glassman, et al.) Docket No.: 4239-103

Application No.: 10/756,354) Examiner: HOWARD, Sharon
Lee

Date Filed: January 14, 2004) Art Unit: 1615

Title: METHOD OF TREATING
ONYCHOMYCOSIS WITH
UREA AND AN
ANTIOXIDANT) Confirmation No.: 3208EXPRESS MAIL CERTIFICATE

I hereby certify that I am mailing the attached documents to the Commissioner for Patents on the date specified, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, and Express Mailed under the provisions of 37 CFR 1.10.

DEC 21 2004

TECH CENTER 1600/2900

December 10, 2004

Date

EO 003 348 850 US

Express Mail Label Number

**THIRD-PARTY SUBMISSION OF PATENTS OR PUBLICATIONS IN
U.S. PATENT APPLICATION NO. 10/756354 PUBLISHED ON JULY 29, 2004 AS
U.S. PATENT APPLICATION PUBLICATION NO. 2004/0146470**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.99, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Third-Party Submission of Patents or Publications in a Published Application.

Further enclosed herewith are:

- (1) copies of the listed references;

12/15/2004 CCHAN1 00000123 10756354
01 FC:1806 180.00 OP
02 FC:1464 130.00 OP

- (2) a Credit Card Payment form authorizing the Office to charge the \$310.00 official fees, which includes the \$180.00 fee set forth in §1.17(p) as required by 37 C.F.R. §1.99(b) and the \$130.00 processing fee set forth in §1.17(i) as required by 37 C.F.R. §1.99(e), to the credit card specified therein; and
- (3) a self-addressed postcard for the official acknowledgement by the Office that this Submission has been received.

This Submission could not have been submitted to the Office earlier, because neither the undersigned attorneys nor River's Edge Pharmaceuticals, who is the third party presented by the undersigned attorneys, had knowledge of the references cited herein until early December 2004, when the references were discovered during a thorough search of the prior art pertaining to the subject patent application.

Therefore, this Submission complies with the requirements of 37 C.F.R. §1.99(e), with payment of the \$130.00 processing fee set forth in §1.17(i).

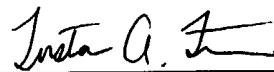
This Submission is concurrently served upon the attorney of record for the applicants in accordance with the requirements of 37 C.F.R. §1.99(c) and §1.248. A certificate of service is attached.

It is respectfully requested that the information contained in the attached Third-Party Submission of Patents or Publications in a Published Application be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Respectfully submitted,



Steven J. Hultquist
Reg. No. 28,021
Attorney for Third Party



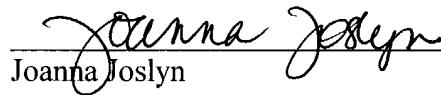
Tristan A. Fuierer
Reg. No. 52,926
Attorney for Third Party

INTELLECTUAL PROPERTY/
TECHNOLOGY LAW
Telephone: (919) 419-9350
Fax: (919) 419-9354
Attorney Ref: 4239-103

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of December, 2004, a true and correct copy of the foregoing THIRD-PARTY SUBMISSION OF PATENTS OR PUBLICATIONS IN U.S. PATENT APPLICATION NO. 10/756,354 PUBLISHED ON JULY 29, 2004 AS U.S. PATENT APPLICATION PUBLICATION NO. 2004/0146470 was served via First Class U.S. Mail on the attorney of record for the applicants:

Andrea G. Reister, Esq.
Registration No. 36,253
COVINGTON & BURLING
1201 Pennsylvannia Avenue, N.W.
Washington, DC 20004-2401



Joanna Joslyn